

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, November 13, 2007

7:00 P.M.

AMENDED 11/13/2007

1. **CALL TO ORDER, MAYOR OLIVER PARKER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION, TOWN CHAPLAIN**
4. **PRESENTATIONS**
 - a. Employee of the Month – November 2007 (Frank Rabinowitz – Director of Development Services)
 - b. Employee of the Month – November 2007 – Broward Sheriff's Office Fire Rescue (Chief Sievers)
5. **REPORTS**
 - a. Discussion regarding options to obtain an entrance to the parking lot on A1A – Bougainvillea Parking Lot Entrance (Esther Colon, Town Manager)
 - b. Report on current agreement with Sea Ranch Lakes (Chief Sievers)
6. **APPROVAL OF MINUTES**
 - a. October 23, 2007 Regular Minutes
7. **PUBLIC COMMENTS**
8. **ORDINANCES (2nd Reading) "Public Hearings"**
 - a. **ORDINANCE NO. 2007-12 - Rentals:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA, ADDING A NEW ARTICLE IV TO CHAPTER 6 OF THE TOWN CODE OF ORDINANCES ESTABLISHING REGULATIONS AND LICENSING REQUIREMENTS FOR THE RENTAL OF RESIDENTIAL DWELLINGS; PROVIDING FOR SEVERABILITY AND

PROVIDING FOR AN EFFECTIVE DATE. (Attorney James Cherof) (Tabled from October 23, 2007)

- b. ORDINANCE NO. 2007-16 – Waiving Parking Meter Fees:** AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING SECTION 19-25, “TIME RESTRICTED PARKING” BY AMENDING SUBSECTION (g), FOR PORTIONS OF COMMERCIAL BOULEVARD; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (Attorney Cherof)

9. COMMISSIONER COMMENTS

10. ORDINANCES *(1st Reading)*

11. CONSENT AGENDA

- a.** Commission approval of Sidewalk Replacement Program with Florida Youth Conservation Corps. by Cooperative Purchasing (Piggybacking) though existing City of Fort Lauderdale Agreement (John Olinzock – Assistant to the Town Manager)
- b.** Annual Street Sweeping – Southern Street Sweepers (Esther Colon, Town Manager)
- c.** Ratification of poll (Saturday, October 27, 2007) to allow parking on inside lane of El Mar and suspend parking enforcement during the Arts and Craft festivities held Saturday, October 27 and Sunday, October 28, 2007 (Esther Colon, Town Manager)
- d.** Florida Fuel Service Program (Esther Colon, Town Manager)
- e.** Maintenance of relocated trees (North Seagrape Drive) (Esther Colon, Town Manager)
- f.** Renewal of sidewalk café agreements – The Village Grill and Mulligans (Beach Restaurant) (Esther Colon, Town Manager)
- g.** Commission approval of Professional Town Planning Services Agreement with Keith and Schnars, PA (John Olinzock – Assistant to the Town Manager)
- h.** Renewal of Wastewater Service Agreement with City of Pompano Beach (John Olinzock – Assistant to the Town Manager)
- i.** Paying \$1,800 to Corniche for Beach Access (Vice Mayor Yanni)

- j. Service for maintenance of servers and workstations (Esther Colon, Town Manager)

12. RESOLUTION

13. OLD BUSINESS

- a. Discussion and/or action for Issuance of Hardship Permits (Esther Colon, Town Manager)
- b. Discussion and/or action regarding placing pavers on El Mar Drive for the Coral Key project (Mayor Parker – Tabled from the July 10, 2007 meeting)
- c. Discussion and/or action regarding giving the Performing Arts Center priority with dates at Jarvis Hall (Mayor Parker) Tabled from the September 25, 2007 meeting)
- d. Discussion and/or action regarding renewing performing arts center contract (Vice Mayor Yanni) (Tabled from the September 25, 2007 meeting)
- e. Application for Jarvis Hall – By-The-Sea Times – Change of dates (John Olinzock – Assistant to the Town Manager) (Tabled from the October 9, 2007 meeting)
- f. Discussion and/or action regarding instructing the Town Attorney to file ethics complaint against Commissioner Silverstone and Commissioner McIntee for repeated violation of the rule of voting, conflict of interest, and for attempting to terminate the contract of an existing Town vendor and giving the contract to another vendor controlled by them and which employ them (Mayor Parker) (Tabled at the October 23, 2007 Meeting)

14. NEW BUSINESS

- a. Variance Application review for 259 Codrington Drive and repeal application fee request approval (Frank Rabinowitz – Director of Development Services)
- b. Variance Application review for 107-109 Commercial Boulevard. Commission approval is needed (Frank Rabinowitz – Director of Development Services)
- c. Discussion and/or action for reconsideration of Variance pertaining to 4243 Bougainvillea Drive (Commissioner McIntee) (Tabled from the September 25, 2007 meeting)
- d. Discussion and/action in relation to the Volunteer Fire Department (Commissioner Clark) (From the September 25, 2007 meeting and tabled at the October 9, 2007 meeting)

Town Commission Regular Meeting Agenda
November 13, 2007

- e. Granting a day off for employee of the month along with a \$25 check (Vice Mayor Yanni) (From the October 9, 2007 meeting)
- f. Review of the Jarvis Hall Use Ordinance (Attorney Cherof) (Tabled from the October 9, 2007 Meeting by Commissioner McIntee)
- g. Discussion and/or action of candidate debate with regard to format (Mayor Pro Tem Clark)
- h. Discussion and/or action regarding "Oriana" entrances and exit north end of the property and install Town gate (Commissioner McIntee)
- i. Discussion and/or action regarding Mayor Parker, ethics violation, voting on job worth \$20,000 over 5 years (Commissioner McIntee)
- j. Discussion and/or action regarding reimbursement by the Town of \$4,154.00 in repairs to NW corner property owned by Ocean East Apartments, Inc. 1530 South Ocean Boulevard (A1A), incurred in 2004 during placement of utilities underground (John Olinzock – Assistant to the Town Manager)
- k. Discussion and/or action to establish town policy for free parking on inside lane and town wide at all meters for major Town events (Mayor Parker)
- l. Discussion and/or action with annexing the remaining of Terra Mar, Real Espana, and Emerald Tower (Commissioner Silverstone)
- m. Discussion and/or action regarding placement of video surveillance signs at Town Entryways (Commissioner Silverstone)
- n. Discussion and/or action regarding MSC look into having LBTS designed as a green town (Commissioner Silverstone)

15. TOWN MANAGER REPORT

16. TOWN ATTORNEY REPORT

- a. Opinion regarding an Ordinance prohibiting the display of inappropriate material in store fronts (Jim Cherof – Town Attorney) (Tabled from the October 23, 2007 meeting)

17. PUBLIC COMMENTS (remaining members of the public to speak at this time)

18. FUTURE AGENDA ITEMS

November 14, 2007 – Workshop

- a. Discussion and/or action regarding change to El Mar Drive from present configuration to one lane (Commissioner Silverstone)

November 27, 2007

- a. Special Assessment for Palm Club or in the alternative deed the road to the Town (Mayor Parker) (Tabled from the October 9, 2007 meeting)
- b. Discussion and/or action rescinding the appointment of Mayor Oliver Parker to the Hillsboro Inlet Commission (Commissioner Silverstone) (Requested at the October 9, 2007 meeting)

December 13, 2007

- a. City of Ft. Lauderdale / Sale of Water System – Report by Mark Darmanin, City of Ft. Lauderdale (James Cherof) Regarding The Advantage Of The Sale, The Reason For The Surcharge, And The Value – (From The September 11, 2007 Meeting)

Items Tabled until Uncertain Date

- a. Discussion and/or action regarding BSO letter of complaint dated 4/11/07 and event report dated 4/7/07 (Mayor Parker) (Pending IA report)
- b. Report on public records request regarding tape referred to in 4/27/07 Commission Meeting (Mayor Parker) (Pending IA report)
- c. Approximate Costs for the Town to Perform Solid Waste Collection
- d. Discussion and/or action to reconsider the docks and floating docks and come up with a unified code (From the September 25, 2007 Meeting – Pending information from Stuart Dodd)

19. ADJOURNMENT

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES NECESSARY TO AFFORD INDIVIDUALS AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE TOWN COMMISSION. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE TOWN CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE MEETING AT (954) 776-0576 FOR ASSISTANCE.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO INSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.